

THE FAYETTE COUNTY PLANNING COMMISSION held a **Public Meeting/Workshop** on May 15, 2008, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Board of Commissioners Conference Room, Fayetteville, Georgia.

MEMBERS PRESENT: Douglas Powell, Chairman
Al Gilbert, Vice-Chairman
Bill Beckwith (left at 8:30 pm)
Jim Graw
Tim Thoms

MEMBERS ABSENT: None

STAFF PRESENT: Pete Frisina, Director of Planning & Zoning
Tom Williams, Assistant Director of Planning & Zoning
Dennis Dutton, Zoning Administrator
Delores Harrison, Zoning Technician

STAFF ABSENT: Robyn S. Wilson, P.C. Secretary/Zoning Coordinator

Welcome and Call to Order:

Chairman Powell called the Public Meeting/Workshop to order and introduced the Board Members and Staff.

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Chairman Powell recognized Delores Harrison and advised that this would be her last meeting as she was retiring on May 21, 2008, after seven (7) years of employment. The P.C. presented Mrs. Harrison with a framed and matted painting of the Courthouse by local artist, Patsy Gullatt. The P.C. thanked Mrs. Harrison for her years of dedicated and loyal service.

Delores Harrison thanked the P.C. for her gift and said that she would miss a lot of people from Fayette County.

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Chairman Powell explained to the audience that a Preliminary Plat was the subdivision of property which was already zoned and only the technical aspects of the Preliminary Plats could be addressed by the public.

- 1. Consideration of a Preliminary Plat, Travis Estates, Brooks & Travis Development, Owners, and David G. Hovey, Agent. This property consists of 59.51 acres with 34 single-family dwelling lots. This property is located in Land Lot 198 of the 13th District, fronts on S.R. 138, and is zoned R-40.**

David Hovey requested approval of the Preliminary Plat stamped received 03/25/08. He advised that Travis Estates and Michael Todd Estates were planned to be developed as two (2) separate subdivisions due to being separated by the lake with no vehicular access between the two (2) subdivisions. He said that the subdivision would be served by a community sewer system which shall be permitted by E.P.D. He confirmed that E.P.D. rules state that if you have 10,000 gallons per day of flow, then the entire subdivision has to be permitted or none permitted by E.P.D. He added that this is another reason the subdivisions were being developed as two (2) separate subdivisions.

Chairman Powell asked if there were any comments regarding the technical aspects of the preliminary plat. Hearing none, since no public was present, he closed the floor from public comments.

Tim Thoms asked what was planned for the central drain field.

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Mr. Hovey replied that wastewater will be collected from each individual lot and then it will go to a treatment unit behind the septic tank and effluent will be captured in a gravity system and fed to a lift station then pumped up to the central drain field area. He stated that the collection system would be designed to Fayette County standards. He reported that the H.O.A. will be responsible for the system but they will probably contract with a company. He added that a sewer pipeline easement would be indicated on the Final Plat.

Pete Frisina advised that the County was moving in the direction of taking over and controlling these type systems; however, currently they were permitted by the E.P.D. with a monthly report required.

Chairman Powell asked what the classification was for each of the dams.

Mr. Hovey replied that all the dams were a Category II. He advised that Phil Mallon has been to the property to look at the dams.

Al Gilbert made a motion to approve the preliminary plat stamped received 03/25/08. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.

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2. Consideration of a Preliminary Plat, Michael Todd Estates, Brooks & Travis Development, Owners, and David G. Hovey, Agent. This property consists of 26.26 acres with 17 single-family dwelling lots. This property is located in Land Lot 198 of the 13th District, fronts on S.R. 314, and is zoned R-40.

David Hovey requested approval of the Preliminary Plat stamped received 02/04/08. He advised that Michael Todd Estates and Travis Estates were planned to be developed as two (2) separate subdivisions due to being separated by the lake with no vehicular access between the two (2) subdivisions. He said that Travis Estates would be served by a community sewer system which shall be permitted by E.P.D. He confirmed that E.P.D. rules state that if you have 10,000 gallons per day of flow, then the entire subdivision has to be permitted or none permitted by E.P.D. He added that this is another reason the subdivisions were being developed as two (2) separate subdivisions.

He advised that Lot 9 will require more testing for the septic system.

Chairman Powell asked if there were any comments regarding the technical aspects of the preliminary plat. Hearing none, since no public was present, he closed the floor from public comments.

Tim Thoms asked how the stormwater quality basins would be accessed.

Mr. Hovey replied that there is open area all around the lake plus easements.

Tim Thoms made a motion to approve the preliminary plat stamped received 02/04/08. Bill Beckwith seconded the motion. The motion unanimously passed 5-0.

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3. Discussion of proposed amendments to the Land Use Element of the Fayette County Comprehensive Plan regarding the S.R. 54 West Overlay District as presented by the Planning & Zoning Department. *Instructed by BOC on 03/03/08 to begin review.*

Chairman Powell reminded the P.C. that a motion was made at the May 1, 2008, Public Hearing to table the proposed amendments to allow further discussion at the May 15, 2008, Workshop/Public Meeting and to hold the Public Hearing on June 5, 2008. He stressed that he was not comfortable

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with an ordinance which used the orientation of the subdivision to a road as a means of determining whether or not a property could be rezoned from residential to O-I. He said the P.C. had recommended that any lot in a platted residential subdivision that bordered on S.R. 54 West should not be allowed to rezone to O-I; however, after review by the B.O.C., they included the subdivisions oriented to and with access to S.R. 54 West from one (1) or more internal streets. He made his rebuttal a part of the Minutes. He reiterated that he could not approve a policy that treats lots on opposite sides of the street within a half mile of each other in a different manner. He presented an example of Lakeview Estates on S.R. 54 West where the access was from Hood Road instead of S.R. 54 West, which under the proposed amendment would allow the lots on S.R. 54 West to be rezoned to O-I. He also noted that Plantation Subdivision, located on S.R. 314, contains three (3) homes zoned O-I and which do not access S.R. 314. He stated that the proposed amendments would establish a precedent. He suggested that the proposed amendments should state that any lot in a platted residential subdivision which borders on S.R. 54 West should not be allowed to rezone to O-I.

The following amendments were discussed:

PROPOSED AMENDMENTS TO THE FAYETTE COUNTY COMPREHENSIVE PLAN REGARDING THE S.R. 54 WEST OVERLAY DISTRICT

Transportation Corridors

Over the next twenty years, a number of state routes in Fayette County are scheduled to be widened from a two-lane highway to a four-lane divided highway. These state routes are the connecting corridors for the incorporated municipalities in Fayette County and neighboring counties. With few exceptions, in the unincorporated areas of the county these roads traverse residential and/or agricultural land uses.

With the widening of these state routes comes the increased pressure for nonresidential development. The County is now in the position where it must balance this demand with its own growth and transportation policies. These state routes are first and foremost transportation corridors; the efficient flow of traffic must be maintained. Nonresidential land uses are indicated on the Land Use Plan Map where their location and intensity are most appropriate for the surrounding area.

In order to better facilitate the desired development along its transportation corridors, Fayette County has adopted an Overlay District on SR 54 and several Overlay Zones. The particular requirements pertaining to these transportation corridors are discussed below.

SR 54 West Overlay District: With the widening of SR 54 West, the Board of Commissioners adopted the SR 54 West Overlay District. This District identifies the county's goals and recommendations for the corridor and sets out the desired development pattern. SR 54 connects the communities of Fayetteville and Peachtree City, and serves as the only major east-west thoroughfare through the county. The following section defines the District.

Existing Development: Existing **residential development** is scattered along the SR 54 West Corridor. Residential tracts range in size from large agricultural tracts of as much as 200 acres down to minimum one (1) acre subdivisions. Large tracts are still used for agricultural purposes and may or may not contain a single-family residence. These tracts vary in size from approximately five (5) to 200 acres. The majority of the larger tracts are located between Sandy Creek and Tyrone Roads. Single-family residential development consists of smaller lots, varying in size from one (1) to five (5) acres, fronting on SR 54 West or within subdivisions which access SR 54 West. Three single-family residential subdivisions (Newton Estates, Fayette Villa, and The Landings) are developed in this area. These subdivisions are zoned for one (1) acre minimum lots. Fayette Villa and The Landings are located between Flat Creek Trail west to Sumner Road (north) on the north side of SR

54 West. Newton Estates is located west of Huiet Drive on the south side of SR 54 West. Existing **nonresidential development** consists of two commercial areas, one at Tyrone Road and one at Sumner Road (south).

Future Development: SR 54 West is first and foremost a transportation corridor. The efficient flow of traffic must be maintained. High intensity nonresidential uses should be targeted to the major intersection with Tyrone Road and SR 54 West. As one moves away from this node, the intensity of nonresidential development should decrease. The **goals** of the SR 54 West Overlay District are: (1) to maintain the efficient traffic flow of SR 54 West as the County's only major east-west thoroughfare; (2) to maintain a non-urban separation between Fayetteville and Peachtree City; and (3) to protect existing and future residential areas in the SR 54 West Corridor.

If lots, which front on SR 54 West, are allowed to change from a residential use to a nonresidential use, care must be taken to protect existing or future residential property. This can be accomplished by requiring enhanced landscaping, buffers and berms to protect these residential areas.

Recommendations: The intent of the SR 54 West Overlay District is to offer existing tracts of five +/- acres the option to convert to office uses. Outside of the commercial designation at Tyrone Road and the commercial and office-institutional designation at Sumner Road (south), these parcels would be considered for the Office-Institutional Zoning District. Conditions should be placed on property at the time of rezoning to address unique situations *such as a lot adjacent to a residential subdivision where berms and fences could be required, as well as, an increase in the buffer.*

In certain situations a change from a residential zoning to the Office-Institutional Zoning District should will not be given consideration due to the impact on abutting residential property in platted and recorded subdivisions. These situations include, but are not limited to the following:

Staff recommendation: * *Parcels platted and recorded in a residential subdivision where the residential subdivision is oriented to and has access to SR54 from one or more internal streets, as individuals purchased lots within these subdivisions with the assurance that it would remain a residential area;*

P.C. recommendation: * *Parcels platted and recorded in a residential subdivision where the residential subdivision borders on SR54;*

Staff recommendation: * *Any lot that is less than five (5) acres and is surrounded on side and rear lot lines by a platted and recorded residential subdivision or subdivisions. Parcels of at least five (5) acres could be considered in that additional setbacks and buffers could be required as a condition of zoning while leaving adequate area for development.*

Other Transportation Corridors: Section 7-6 Transportation Corridor Overlay Zone of the Fayette County Zoning Ordinance establishes Overlay Zones on state highways that traverse Fayette County. Regardless of the underlying zoning, any new nonresidential development along these corridors must meet the requirements of the particular Overlay Zone. The Zoning Ordinance establishes Overlay Zones on SR 54 West and SR 74 South, SR 85 North, and a General State Route Overlay Zone on all other state routes.

Jim Graw asked Staff to explain the recommendations.

Pete Frisina explained that properties had been rezoned on S.R. 54 West since 1995. He pointed out that properties are not land used for O-I, but are land used for residential. He said that citizens living on S.R. 54 West after it was four-laned, complained that they were having trouble living on the four-

lane highway, so an Overlay District was adopted, instead of amending the land use designations. He stated that under certain situations, consideration could be given for O-I zoning. He commented that after the last rezoning was denied and reviewing the history of rezonings on S.R. 54 West, the proposed amendments were developed. He added that the B.O.C.'s actions set policy. He said that if a decision is made by the County and then it is decided that the County is going in the right direction, the policy should be changed to reflect where they want to go.

Mr. Graw expressed concern about possible litigation against the County.

Al Gilbert stated that S.R. 54 West is a major thoroughfare and there seems to be a safety issue to consider. He pointed out that there are two (2) houses on the corner lots on S.R. 54 West and Lakeview Lane in Lakeview Estates; however, there are no houses on the lots on S.R. 54 West in Ledgewood.

Chairman Powell pointed out that the lot in Lakeview Estates also borders commercial zoning in the City of Fayetteville and the lots in Ledgewood also border O-I zoning. He said that O-I has been used as a transition between commercial and residential.

Tim Thoms stated that the overriding reason for consideration is that the lots are in a platted residential subdivision.

In regards to the second recommendation, regarding property less than five (5) acres surrounded on side and rear lot lines by a platted and recorded residential subdivision or subdivisions and property at least five (5) acres, Mr. Gilbert said that the purpose of the overlay district may be defeated if residential properties are picked out (cherry picked) that do not support a rezoning to O-I.

Mr. Graw said that some property owners may not want to be part of a residential subdivision because they may think they can sell their property as nonresidential. He pointed out that a property owner was aware that when a lot was purchased in a residential subdivision that abuts an outparcel that it may be developed as nonresidential.

Chairman Powell commented that the rezoning request could stand on its own merit if the recommendation was deleted in its entirety.

Mr. Frisina pointed out that due to the increase setbacks and buffers which are required when the property abuts residential or A-R zoning that variances may have to be requested and granted to allow development on the lots less than five (5) acres.

Mr. Thoms commented that if a person owns or lives on a parcel less than five (5) acres and a subsequent or existing residential development is zoned around that parcel, then the owner would be deprived of the ability to have a consideration for rezoning to O-I based on the wording of the second recommendation being proposed. He remarked that this would be something that negatively impacts their right to a fair hearing, even if the proposed use and zoning might still be compatible with and not have a negative impact on the adjacent properties and land use as per the intent of the S.R. 54 West Overlay District.

It was the consensus of the P.C. not to make any changes, at this time, to the proposed amendments as it addressed property less than five (5) acres and property at least five (5) acres.

The P.C. concurred to vote on the two (2) recommendations separately at the public hearing.

Mr. Frisina advised the P.C. to be prepared to present their recommendations at the June 5, 2008, Public Hearing if they did not agree to those being presented by Staff.

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4. Discussion of churches as a Permitted Use in the M-1 Zoning District: Article VI. District Use Requirements, Section 6-21. M-1 Light Industrial District, B. Permitted

Uses, 17. Church as presented by the Planning & Zoning Department. *Instructed by BOC on 04/10/08 to begin review.*

Pete Frisina advised the P.C. that a citizen had written to Commissioner Robert Horgan asking if a church could be allowed at a location on SR 85 North. The location is zoned M-1. He stated that he wrote a Memorandum to Interim County Manager Jack Krakeel in response to the letter on January 3, 2008, which stated that he would not recommend that a church be allowed in the M-1 zoning district. Both of these documents are included in the Planning Commission's information. On April 10, 2008, the BOC approved Commissioner Horgan's request for Staff to review adding churches as a permitted use in the M-1 zoning district.

The following proposed amendments were discussed:

Discussion Topics for Churches in M-1 Zoning

In unincorporated Fayette County churches are allowed in all residential zoning districts, A-R, and O-I as a Conditional Use, as well as in the C-C and C-H zoning districts as a Permitted Use (Church and customary related uses). Allowing a church in a residential or commercial zoning is typical in most communities. The allowance for a church in an industrial district is less common but not unprecedented.

Historically, churches in unincorporated Fayette County that locate in a nonresidential zoning district go into C-C and C-H, leasing space in an existing multi-tenant building as opposed to building their own facility. The situation usually involves a small start-up church leasing space and eventually moving to a larger permanent location as a Conditional Use, in an A-R or residential zoning district, once the congregation grows. For the most part, it is assumed that a church would lease space in an existing building in M-1 developments.

Developments in unincorporated Fayette County that are zoned M-1 range from multi-tenant buildings to single-use lots and buildings in a business park setting. Examples of M-1 developments in unincorporated Fayette include the Lee Center on SR 314 and Bethea Road (multi-tenant), Kenwood Business Park (single-use lots and buildings & multi-tenant), Storage Xtra on SR 85 North (multi-tenant), Situs Park on SR 85 North (single-use lots and buildings), Drennan/Fayette Alternator on SR 85 North (multi-tenant), and Fayette/SR54 Commercial Park (single-use lots and buildings) on SR 54 East.

The M-1 zoning district allows for a variety of uses including, light manufacturing, repair services including automotive repair, transportation and distribution, building contractors, service industries, amusement and recreational facilities, and professional firms including architectural, design, engineering, and surveying (see attached M-1 zoning district). There is a potential for some of these uses to involve processes that involve the use of chemicals and compounds, produce loud and continuous noise, and generate truck traffic. Given the nature of the aforementioned uses in some situations there is the potential for them to have an adverse impact on a church in an M-1 Zoning.

Normal days for worship services, Wednesday evenings, Saturdays, and Sundays, would not take place at the same time when businesses are generally operating in an M-1 development. Uses incidental to a church, as listed in the Conditional Use section of the Zoning Ordinance, include a private school, parsonage, gymnasium, playground, athletic field, and a day care facility (children and adult). Recreational facilities are a Permitted Use in the M-1 Zoning District. However, some of the uses incidental to a church are not allowed in the M-1 zoning district and they could be adversely impacted by uses allowed in the M-1 zoning district as they are likely to take place during normal business hours when businesses are operating. For example, a potential conflict would be a private school or children's daycare operating at the same time when M-1 businesses are in operation

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generating noise, fumes, and/or truck traffic. In addition, the allowance of a parsonage would create a residence in a nonresidential zoning district.

However, if a church is allowed in the M-1 zoning district, they would need to be strictly regulated

to avoid adverse impacts. For example, private schools, day care facilities (children and adult), and a parsonage should be specifically excluded to mitigate any potential conflicts.

Jim Graw stated that he was in opposition due to safety issues such as the use of chemicals and heavy equipment, and large trucks. He pointed out that a church could rent space in C-C or C-H.

Chairman Powell advised that some people worship on Thursdays and Fridays so the days of worship could expand. He said that the concerns are safety, hazards, fumes, noise, and some industrial businesses operate 24/7. He stated that he would like a legal review of the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA).

Al Gilbert commented that he would hate to read in the paper where a child has been run over in an industrial district. He remarked that the ordinance has worked for years and years. He said that by making an exception, we are creating a problem.

Tim Thoms concurred.

Mr. Frisina advised the P.C. that a change of use from industrial to assembly could require additional parking spaces, additional landscaping, and also require bringing the building into code compliance which could be very costly.

It was the consensus of the P.C. that they were not in favor of permitting a church in the M-1 zoning district.

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5. **Discussion of proposed amendments to the Fayette County Comprehensive Plan regarding the S.R. 74 North Corridor Study.** *Instructed by BOC on 08/01/07 to begin review.*

Pete Frisina reminded the P.C. that they had discussed the proposed amendments at the April Workshop/Public Meeting. He said that the west side of the S.R. 74 North Corridor seems to be progressing satisfactorily for the designation as Business Technology Park. He stated that the east side of the S.R. 74 North Corridor was being proposed for designation as Office. He reported that Staff had met with Jim Williams of Fairburn and he is in agreement to what the Staff is proposing so far. He said that Mr. Williams is in favor of the parcel located in Fairburn and the unincorporated County being a part of the unincorporated County's plans. He commented that he was also in favor of the frontage road being continued. He added that Chris Venice of the Town of Tyrone had also been updated on the proposal.

The following amendments were discussed:

**DRAFT – PROPOSED AMENDMENTS TO THE
FAYETTE COUNTY COMPREHENSIVE PLAN**

SR 74 North Overlay District: This District identifies the county's goals and recommendations for the SR 74 North Corridor north of Sandy Creek Road and sets out the preferred development pattern for this area. SR 74 North runs north/south through the western side of the County and is the main connection to Interstate 85. It also connects the communities of Peachtree City and Tyrone. The SR 74 North Corridor lies in the jurisdictions of both unincorporated Fayette County and Tyrone. The SR 74 North Corridor study area is also adjacent to Fairburn in Fulton County where substantial

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development in the form of commercial, industrial, and higher density residential is taking place.

Existing Development

Unincorporated Fayette County: Individual residential tracts fronting SR 74 North range in size from small one (1) acre tracts to large tracts of approximately 80 acres. These large tracts may or

may not contain a single-family residence. These large tracts vary in size from approximately 13 to 80 acres. The majority of these large tracts are located north of Kirkley Road. Smaller residential tracts range in size from one (1) acre to ten (10) acres and the majority are clustered in the area of Sandy Creek Road and Thompson Road. Currently, all tracts in the unincorporated area are zoned for residential uses.

Tyrone: Tracts in Tyrone are zoned for residential, office, commercial and light industrial per the Tyrone Official Zoning Map. There are two (2) residentially zoned tracts fronting SR 74 North, one (1) contains a single-family residence the other contains a church. Two (2) residential subdivisions are located in this area, River Oaks and Rivercrest. River Oaks contains two (2) acre lots and Rivercrest contains one-half (0.50) acre lots. One (1) tract zoned for office uses contains a small multi-tenant building and is located on the western side of SR 74 North just north of Kirkley Road. Other tracts zoned for office uses are vacant at this time. The commercially zoned tract contains a golf recreation facility on the east side of SR 74 North. One (1) of the tracts zoned for light industrial contains a single-family residence and the other is vacant at this time.

Fairburn: Plans for the SR 74 North Corridor in Fairburn indicate commercial on both sides of the corridor from the County line to Interstate 85 as depicted on Fairburn's Community Character Areas map. The area outside of this commercial area is indicated as residential. The area beside Interstate 85 along Oakley Industrial Boulevard is indicated as industrial.

Future Development: As the SR 74 North Corridor lies in the jurisdictions of both unincorporated Fayette County and Tyrone, it is essential that both jurisdictions work together to develop a plan for the corridor. SR 74 North is first and foremost a transportation corridor. The efficient flow of traffic must be maintained. The goals of the SR 74 North Overlay District are: (1) to maintain the efficient traffic flow of SR 74 North as the County's main connection to Interstate 85; (2) to enhance and maintain the aesthetic qualities of the corridor, as it is the gateway into Fayette County; and (3) to protect existing and future residential areas in the SR 74 North Corridor.

Recommendations:

SR 74 North Corridor West Side: The area from Kirkley Road north to the County line on the west side of SR 74 North is designated as Business Technology Park. This land use designation will correspond to the Business Technology Park Zoning District and the SR 74 North Overlay Zone.

Presently, there are three (3) large tracts that make up the majority of the area. Two (2) of these tracts are in unincorporated Fayette County (72 acres and 28 acres) and the other tract is in Tyrone (37 acres). A portion of the 72-acre tract is located in Fairburn. Besides these tracts there are two (2) smaller tracts (four [4] acres zoned M-1 containing a single-family residence and two (2) acres zoned O-I containing a multi-tenant building) in Tyrone, located at or in close proximity to Kirkley Road and two (2) five (5) acre tracts in Tyrone that contain a church located beside the aforementioned 37 acre tract. Also included in this area is a two acre tract on Kirkley Road that must be assembled with the aforementioned 28 acre tract for purposes of rezoning.

The greatest development potential is in the three large tracts. Because these tracts are contiguous to each other, they create the potential for a continuous development pattern, as they can all be linked. To promote this continuous development pattern and connection, a connecting road from SR 74 North through these properties to Kirkley Road will be required. The purpose of this road is to allow internal circulation through these properties. The road would be aligned with Thompson Road where

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a median break exists on SR 74 North; this will serve as the curb cut for the 72-acre tract, and will run south through the three (3) properties to Kirkley Road. Another median break is located where Kirkley Road intersects SR 74 North. The other two (2) large tracts will be allowed one (1) curb cut each that will be right in/right out only, as no median breaks on SR 74 North are located in these areas.

SR 74 North Corridor East Side Special Development District: The area along the east side of

SR 74 North is designated as a Special Development District for the Office-Institutional Zoning classification. The purpose of this Special Development District is to promote planned office development along the frontage of SR 74 to a depth of approximately 800 feet to fulfill the aforementioned goals for the future development of the corridor. The property located beyond the 800 feet will remain designated for Low Density Residential (1 unit/1 to 2 acres). The minimum requirements for acreage (ten acres) and road frontage (700 feet) will necessitate large tracts of land to achieve a reduction in individual curb cuts, consistency and coordination in architectural scheme, and capacity to develop a required frontage road where applicable. This frontage road will be dedicated to Fayette County as a public road with right-of-way. The assemblage of parcels will be necessary in some areas to meet the intent of the Special Development District. The Office-Institutional Zoning classification and the SR 74 North Overlay Zone will apply to the SR 74 Special Development District indicated on the Fayette County Future Land Use Plan.

Area 1: North of Thompson Road extending approximately 750 feet north to the Fulton County line. This area contains seven parcels totaling approximately 23 acres in the Special Development District. Five of the seven parcels have frontage on SR 74 and the other two parcels front on Thompson Road. Of the five parcels fronting SR 74, three contain single-family residences and two are vacant. The two parcels fronting Thompson Road each contain a single-family residence. The existing boundaries of most of these tracts are in the range of 800 feet from SR 74. However, one of these tracts is ten acres in size and is approximately 1,450 feet in depth well beyond the 800-foot depth of the Special Development District.

This is an area where the assemblage of parcels is necessary to achieve the goals of the SR 74 North Corridor. Assemblage would meet the threshold of a minimum of ten acres and 700 feet of road frontage on SR 74 set forth in the SR 74 Special Development District in the zoning ordinance. The continuation of the frontage road in Fairburn would be required if Area 1 is zoned and developed with O-I uses. The aforementioned ten acre tract would be restricted to O-I uses only within 800 feet of SR 74. The remaining portion of the ten acre tract beyond 800 feet can be used for stormwater management or septic systems only.

In the interim pending assemblage of this area, only those tracts with frontage on SR 74 that contain a single-family residence can be given individual consideration for O-I zoning. However the use of the property will be restricted to the conversion of the single-family residence to an office. No expansion of the existing structure or additional structures will be allowed until such time that the target properties in Area 1 are assembled to meet the threshold of the SR 74 Special Development District in the O-I Zoning classification.

Area 2: South of Thompson Road extending south approximately 800 feet. This area contains four parcels totaling approximately 10.4 acres in the Special Development District. Two of the four parcels have frontage on SR 74 and the other two parcels front on Thompson Road. Of the two parcels fronting SR 74, one contains a single-family residence and the other is vacant. The two parcels fronting Thompson Road each contain a single-family residence. The existing boundaries of these tracts are in the range of 800 feet from SR 74.

This is an area where the assemblage of parcels is necessary to achieve the goals of the SR 74 North Corridor. Assemblage would meet the threshold of a minimum of ten acres and 700 feet of road frontage on SR 74 set forth in the SR 74 Special Development District in the zoning ordinance. The continuation of the frontage road in Fairburn would be required if Area 2 is zoned and developed

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with O-I uses.

In the interim pending assemblage of this area, only the one tract with frontage on SR 74 that contains a single-family residence can be given individual consideration for O-I zoning. However the use of the property will be restricted to the conversion of the single-family residence to an office. No expansion of the existing structure or additional structures will be allowed until such time that the target properties in Area 2 are assembled to meet the threshold of the SR 74 Special Development District in the O-I Zoning classification.

Area 3: This area starts approximately 800 feet south of Thompson Road and extends approximately 1,300 feet to the south from this point. This area contains approximately 24 acres in the Special Development District. These 24 acres are part of an 81 acre tract which contains a single-family residence. The single-family residence is not within the 24 acres contained in the Special Development District.

This is an area where the assemblage of parcels is not necessary to achieve the goals of the SR 74 North Corridor. The continuation of the frontage road in Fairburn would be required if this property is zoned and developed with O-I uses.

Area 4: North of Sandy Creek Road extending north approximately 1,400 feet. This area contains four parcels totaling approximately 24 acres in the Special Development District. All four parcels have frontage on SR 74 and one parcel also has frontage on Sandy Creek Road. Of the four parcels, three parcels each contain a single-family residence and one is vacant. The existing boundaries of these tracts are in the range of 700 feet from SR 74.

This is an area where the assemblage of parcels is necessary to achieve the goals of the SR 74 North Corridor. Assemblage would meet the threshold of a minimum of ten acres and 700 feet of road frontage on SR 74 set forth in the SR 74 Special Development District in the zoning ordinance. The continuation of the frontage road in Fairburn would not be required.

In the interim pending assemblage of this area, only the three tracts with frontage on SR 74 that contain a single-family residence can be given individual consideration for O-I zoning. However the use of the property will be restricted to the conversion of the single-family residence to an office. No expansion of the existing structure or additional structures will be allowed until such time that the target properties in Area 5 are assembled to meet the threshold of the SR 74 Special Development District in the O-I Zoning classification.

Al Gilbert asked if development would be allowed on both sides of the frontage road.

Mr. Frisina replied yes and added that this would also cut down on the number of curb cuts onto S.R. 74 North.

Mr. Frisina suggested that the land use designation should not be addressed at this time on the three (3) acre tract on the east side of S.R. 74 North (indicated as Area 4) since it is surrounded by the Town of Tyrone.

The P.C. concurred.

Mr. Frisina advised that the proposed amendments would be discussed at the next Workshop/Public Meeting.

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P.C. Workshop/Public Meeting

6. **Discussion of proposed amendments to the Fayette County Zoning Ordinance regarding Article VI. District Use Requirements, Section 6-17. O-I, Office Institutional District as presented by the Planning & Zoning Department.** *Instructed by BOC on 08/01/07 to begin review.*

Pete Frisina explained that a Special Development District allows the establishment of required criteria to allow specific development in a certain area.

The following amendments were discussed:

DRAFT - PROPOSED AMENDMENTS TO THE

FAYETTE COUNTY ZONING ORDINANCE

ARTICLE VI. DISTRICT USE REQUIREMENTS

Section 6-17. O-I Office-Institutional District

SR 74 North Corridor East Side Special Development District. The following additional requirements will apply to the area identified in the Fayette County Comprehensive Plan, SR 74 North Overlay District on the east side of the SR 74 North and designated as Special Development District on the Fayette County Future Land Use Plan Map. The purpose of this Special Development District is to promote planned office development along the frontage of SR 74 North to a depth of approximately 800 feet to fulfill the stated goals for the future development of the corridor. The goals of the SR 74 North Overlay District are: (1) to maintain the efficient traffic flow of SR 74 North as the County's main connection to Interstate 85; (2) to enhance and maintain the aesthetic qualities of the corridor, as it is the gateway into Fayette County; and (3) to protect existing and future residential areas in the SR 74 North Corridor.

The assemblage of parcels will be necessary in some areas to meet the intent of the Special Development District. The minimum requirements for acreage and road frontage will necessitate large tracts of land to achieve a reduction in individual curb cuts, consistency and coordination in architectural scheme, and capacity to develop a required frontage road where applicable. This frontage road will be dedicated to Fayette County as a public road with right-of-way. This will require a Preliminary Plat and Final Plat.

Tracts of ten acres with a minimum of 700 feet of frontage on SR 74 North:

All O-I Permitted and Conditional Uses.

In a planned office development, a maximum of twenty (20) percent of the floor area of an individual building may consist of business operations providing support services for the larger development. Permitted support service uses include:

- (i) Restaurants (No drive-through or free standing facilities shall be allowed);
- (ii) Personal Services;
- (iii) Convenience/food store (no gasoline sales);
- (iv) Blueprinting, graphic, and copying service; and
- (v) Office and computer supplies.

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Discussion Items:

1. Existing tracts within the special development district with frontage on SR 74 that contain a single-family residence zoned O-I:
 - a. Restricted to the conversion of the existing single-family residence for office uses.
 - b. No expansion of existing structures.
 - c. No new structures can be developed.
 - d. All O-I Permitted and Conditional Uses.

2. Vacant tracts within the special development district with frontage on SR 74:
 - a. These tracts should not be given individual consideration for O-I zoning.
3. Tracts within the special development district that do not front on SR 74:
 - a. These tracts should not be given individual consideration for O-I zoning.

Mr. Frisina asked the P.C. for input either tonight or at a later time because Staff is still working on the proposed amendments.

Al Gilbert expressed concern about the aforementioned restrictions being too restrictive.

The P.C. concurred that a legal opinion is essential regarding the proposed amendments.

Mr. Frisina advised that the proposed amendments would be discussed at the next Workshop/Public Meeting.

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Chairman Powell asked if there was any further business.

Hearing no further business, Al Gilbert made a motion to adjourn the Public Meeting/Workshop. The motion unanimously passed 5-0. The Public Meeting/Workshop adjourned at 9:37 P.M.

**PLANNING COMMISSION
OF
FAYETTE COUNTY**

ATTEST:

**DOUG POWELL
CHAIRMAN**

**DELORES HARRISON
ZONING TECHNICIAN FOR
ROBYN S. WILSON
P.C. SECRETARY**